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In re Application of

Shigeo Tochikubo

Application No. 10/823,765

Filed: April 14, 2004

Attorney Docket No. 251960US0

Title: ELECTROLYTIC WATER PURIFIER

OFFICE OF PETITIONS

DECISION ON PETITION

UNDER 37 C.F.R. §1.47(b)

This is in response to the petition under 37 CFR §1.47(b)¹, filed August 24, 2004.

The above-identified application was filed on April 14, 2004, without an oath or declaration. On June 24, 2004, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted", requiring an executed oath or declaration in compliance with 37 CFR §1.63, and a surcharge for the late filing of the oath or declaration. The Notice further indicated that the following items would be required: the basic filing fee; an English translation of the specification and a statement that the translation is accurate; the fee associated with the filing of a specification in a language other than English, and; replacement drawings. The notice set a two-month period for response.

In reply, applicant filed the petition, along with the associated fee, the basic filing fee, an English translation of the specification and a statement that the translation is accurate,

¹ A grantable petition under 37 CFR §1.47(b) requires:

- (1) The petition fee;
- (2) a surcharge if the petition was not filed at the time of filing of the application;
- (3) a statement of the last known address of each of the non-signing inventors;
- (4) proof that a copy of the application was sent or given to each of the non-signing inventors for review;
- (5) proof that each of the non-signing inventors refused to sign;
- (6) proof that the Rule 47(b) applicant has sufficient proprietary interest in the subject matter to justify the filing of the application;
- (7) proof of irreparable damage, and;
- (8) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116 and 37 CFR §1.63.

the fee associated with the filing of a specification in a language other than English, and replacement drawings.

Petitioner has met requirements (1) – (8) above. As such, the petition under 37 C.F.R. §1.47(b) is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition, not the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 1700 for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanoski
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Office of Petitions
United States Patent and Trademark Office